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October 31, 2014

VIA ECF AND HAND DELIVERY

Hon. William H. Pauley
United States District Court Judge
United States Courthouse, 500 Pearl Street
New York, NY 10007-1312

Re: *Retirement Board v. The Bank of New York Mellon*, No. 11-cv-5459 (WHP)

Dear Judge Pauley:

Pursuant to Your Honor's September 3rd instruction, §III(A)(iv) of the Court's Individual Practices, and L. Civ. R. 37.2, the parties to the above-captioned case jointly submit this letter providing an update on the discovery disputes between the parties. The parties have been able to resolve their disputes over Plaintiffs' request to compel the Bank of New York Mellon ("BNYM") to produce certain documents requested in Plaintiffs' 4th Set of Document Requests and have also reached an agreement in principle regarding the subpoena issued to Robert Bailey. In addition, the Plaintiffs have agreed to provide updated responses to certain interrogatories so the parties do not raise those matters with the Court at this time.

Plaintiffs note that they are presently following up on a separate outstanding discovery matter not involving BNYM, but involving third-party Bank of America. Plaintiffs hope to resolve that dispute shortly, and will advise the Court promptly in the event that that dispute cannot be amicably resolved.

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Respectfully Submitted,

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